

**IN UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

RLI INSURANCE COMPANY	:	Civil Action No. 1:14cv802
	:	
Plaintiff,	:	Judge: Sandra S. Beckwith
	:	Magistrate: Stephanie K. Bowman
Vs.	:	
	:	
FIFTH THIRD BANCORP	:	
	:	
Defendant.	:	
	:	
FIFTH THIRD BANCORP, et al.,	:	Case No. 1:14-cv-00869
	:	
Plaintiff,	:	Judge: Sandra S. Beckwith
	:	Magistrate: Stephanie K. Bowman
Vs.	:	
	:	
CERTAIN UNDERWRITERS AT LLOYD'S SUBSCRIBING TO POLICY B0509QA048710, B0509QA051310, 81906760, ET AL.,	:	
	:	
Defendants.	:	

**SECOND AGREED MOTION TO EXTEND DEADLINES TO DISCLOSE EXPERTS
AND PRODUCE INITIAL EXPERT REPORTS AS TO PLAINTIFFS RLI AND FIFTH
THIRD**

RLI and Fifth Third hereby move to extend their deadlines as Plaintiffs in the captioned consolidated actions (Nos. 14-802 and 14-869) to disclose the identities of their experts and produce initial expert reports from August 29, 2016 to September 2, 2016 and in support thereof, state as follows:

1. Under the current case management schedule, RLI Insurance Company and Fifth Third Bancorp are required as Plaintiffs to disclose the identities of their experts and produce initial expert reports on August 29, 2016.

2. RLI and Fifth Third have been diligently working on expert discovery. However, they require additional time because, by no fault of any party, a production of documents

necessary for the experts to review was delayed. While these have been recently produced, RLI's experts need four additional days to finalize their reports.

3. Therefore, RLI requests a joint extension to apply to both Fifth Third and RLI for four days to complete their initial reports, from August 29, 2016 to September 2, 2016.

4. RLI consulted with all counsel, and counsel for Fifth Third Bank, Continental Casualty Company, St. Paul Mercury Insurance Company, and Fidelity and Deposit Insurance Company have agreed to the 4 day extension from August 29, 2016 to September 2, 2016 to complete their initial reports.

5. This request affects only RLI and Fifth Third as Plaintiffs and only the August 29, 2016 deadline for disclosure and initial reports. No other deadlines pertaining to discovery will be affected by this motion. Moving the deadline to September 2, 2016, will preserve the integrity of the remaining expert discovery deadlines for all parties as well as the schedule for dispositive motions.

WHEREFORE, RLI Insurance Company and Fifth Third Bancorp respectfully request the Court to move the deadlines to disclose their experts and produce initial reports from August 29, 2016 to September 2, 2016 and for any other relief the Court deems necessary and appropriate.

Dated: August 22, 2016

RESPECTFULLY SUBMITTED,

/s/ Regina A. Ripley

Scott L. Schmookler (Pro Hac Vice)

Regina A. Ripley (Pro Hac Vice)

Ji-Yeon Suh (Pro Hac Vice)

GORDON & REES

SCULLY MANUSKHANI, LLP

One North Franklin, Suite 800

Chicago, IL 60606
Phone: (312) 565-1400
Emails: sschmookler@gordonrees.com
ripley@gordonrees.com
jsuh@gordonrees.com

Attorneys for RLI Insurance Company

/s/ Mark J. Byrne

Mark J. Byrne (0029243)
Kenneth F. Seibel (0025168)
JACOBS, KLEINMAN, SEIBEL &
MCNALLY
30 Garfield Place, Suite 905
Cincinnati, OH 45202
Phone: (513) 381-6600
Emails: mbyrne@jksmlaw.com
kseibel@jksmlaw.com

/s/ Charles E. Turnbull

Charles E. Turnbull (Pro Hac Vice)
Lawrence M. Scott (Pro Hac Vice)
Marc D. Kaszubski (Pro Hac Vice)
O'REILLY RANCILIO, P.C.
12900 Hall Road, Suite 350
Sterling Heights, MI 48313
Phone: (586) 726-1000
Emails: cturnbull@orlaw.com
lscott@orlaw.com
mkaszubski@orlaw.com

Attorneys for Fifth Third Bancorp

CERTIFICATE OF SERVICE

I hereby certify that on August 22, 2016, a copy of the foregoing motion was filed electronically. Notice of this filing will be served on all parties of record by operation of the Court's electronic filing system:

Mark J. Byrne
Kenneth F. Seibel
JACOBS, KLEINMAN, SEIBEL & MCNALLY
30 Garfield Place
Cincinnati, OH 45202
Email: mbyrne@jksmlaw.com
kseibel@jksmlaw.com

Charles E. Turnbull
Lawrence M. Scott
Marc D. Kaszubski
O'REILLY RANCILIO P.C.
12900 Hall Road, Suite 350
Sterling Heights, MI 48313
Email: cturnbull@orlaw.com
lscott@orlaw.com
mkaszubski@orlaw.com

Attorneys for Fifth Third Bancorp

Luke Busam
Bryan S. Strawbridge, Esquire
Julia Blackwell Gelinas, Esquire
Frost Brown Todd LLC
3300 Great American Tower
301 E. Fourth Street
Cincinnati, OH 45202
Emails: jgelinas@fbtlaw.com
bstrawbridge@fbtlaw.com
lbusam@fbtlaw.com

*Attorneys for Defendant Continental Insurance Company,
Fidelity and Deposit Insurance Company, St. Paul
Mercury Insurance Company*

David P. Kamp, Esquire
Brian D. Goldwasser, Esquire
Jean Geoppinger McCoy, Esquire
White, Getgey & Meyer Co. LPA

Fourth and Vine Tower
One West Fourth Street, Suite 1700
Cincinnati, OH 45202
Emails: dkamp@wgmlpa.com
bgoldwasser@wgmlpa.com
jmccoy@wgmlpa.com

John W. Blancett, Esquire
Christopher J. Losquadro, Esquire
Christopher C. Novak, Esquire
Sedgwick LLP
Brookfield Place
225 Liberty Street, 28th Floor
New York, NY 10281-1008
Emails: john.blancett@sedgwicklaw.com
christopher.losquadro@sedgwicklaw.com
christopher.novak@sedgwicklaw.com

*Attorneys for Defendant Certain Underwriters at Lloyd's
Subscribing to Policy Numbers B0509QA048710 and
B0509QA051310, Axis Insurance Company and Federal
Insurance Company*

/s/ Regina A. Ripley

Regina A. Ripley

*One of the Attorneys for RLI Insurance
Company*